

ADB PCP Consultation, Washington DC, June 21st
prepared by Bank Information Center

Background

This was the 8th consultation in the 13-country consultations which the ADB is conducting on its draft Public Communications Policy. Civil society organizations met in advance in a prep session to discuss inputs and interventions.

Audience

According to rough counting by the ADB, approximately 30 people attended the session. There were 3 representatives from the US Treasury (MDB Policy Office, ADB Desk Officer, Loan Officer), some staff members from the US Senate Foreign Relations Committee (this Committee has begun a series of MDB oversight hearings lately), individual/institutional consultants (communications consultants, contractors, university departments), at least 4 representatives from the World Affairs Council (had some kind of a co-sponsoring role), and NGOs (Bank Information Center, Freedominfo.org, Human Rights Watch, Pacific Environment, Transparency International, World Resources Institute). Furthermore, there were at least 3 representatives from the World Bank and Inter-American Development Bank.

On the ADB's side, James Rockett, the new Resident Representative for the North America Representatives Office (NARO), was present for the morning session as was Richard Bissell (Member, ADB Compliance Review Panel). Robert Salamon (Principal Director, OER), Bart Edes (Senior Civil Society Specialist/OER), Cindy Malvicini (Consultant), and Sherry Kennedy (Civil Society Specialist, NARO) were also present.

Agenda

The OER Team had sought BIC's comments on the draft agenda a month in advance and had revised the agenda as per BIC's suggestions. The agenda was as follows:-

9:00	Welcome, Introductions, Agenda, Objectives (by Cindy & Jim Rockett)
9:15-9:35	Intro to draft PCP (Rob Salamon)
9:35-9:45	Clarification Questions/Answers
9:45-11:00	Break-out Groups <ul style="list-style-type: none">• List strength, weaknesses, gaps• Types & timing of information needed by stakeholders• Types & timing of information that should not be disclosed• Good practices in transparency
11:00-11:45	Group Reports
11:45-12:00	Lunch Buffet
12:00-1:15	Plenary Discussion of recommendations (working lunch)
1:15-1:30	Next Steps (Bart Edes)

Plenary Discussion & Clarification Questions

Rob Salamon provided the standard power point presentation of the draft Policy. After the presentation, the ADB asked if there were any clarification questions. This plenary discussion

was interesting. A number of participants, including from civil society, private sector and governments, asked a variety of questions including:

- What the exact function and role of the PCAC is?
- Who or what unit would be in charge of translations and how would the ADB manage this function with so many languages spoken in Asia?
- What more information is available about ADB private sector operations?
- What is meant by “information” about the CSP (paragraph 78 of the draft PCP)?
- How this policy compares to other Banks?
- Who makes the decision to “weigh” the public interest and constraints?
- How are redactions noted in documents?
- What does the phrase “as appropriate” mean (in several places in the draft PCP)?

The ADB had no clear answers to any of the above questions. Most were flagged for later discussion.

Group Work

The participants were divided up into 4 groups. The groups had been selected by the ADB in advance and were mixed in terms of background of participants. The NGO representatives were scattered throughout the 4 groups and two NGO participants were nominated by group members to moderate and present the findings of the group work in the Plenary session.

Group Presentations and Main Issues

The main themes emerging from the group work were (i) Implementation of PCP: need for independent accountability; PCAC is not an independent body, (ii) timely/early disclosure and reduction of constraints to disclosure, (iii) draft PCP needs several improvements and is not yet a “model” for any MDB.

Many of the groups pointed out very specific issues in the draft. Some of these issues include:

- The PCP needs to be more precise. There need to be **process guarantees**. For example, it should be listed that final draft Board documents are disclosed **15 days** prior to Board approval.
- The ADB needs to meet the minimum standards already in place at other institutions. The AfDB is disclosing draft country strategies 50 days before strategy approval. The ADB should do this as well.
- The ADB’s website needs to be improved.
- The ADB needs to plan for staff training and to ensure that staff comply with the policy. What are the sanctions put on staff if they do not disclose information that they should?
- The PCP should explicitly state that more documents are translated into more languages.
- The PCP is too long and too complicated. There is an awkward mix of legal policy and communications policy.
- Paragraphs 130, 89, 92, 118, 126 and the entire Section E need to be re-done.
- Paragraph 74, regarding participation, this should be the Bank’s responsibility not the governments.

- External relations or the PCAC should report directly to the President in order to give these units more clout.
- There should be a clear definition of the “presumption.”
- All draft policies and strategies should be disclosed.
- ADB should strengthen Resident Missions.
- There should be a clear roll-out plan for the policy.
- The ADB needs to create an efficient (independent) review process.
- How will the ADB measure effectiveness of the policy – how will it measure implementation?
- The audience of the policy needs to be better defined.
- There need to be proper resources for the implementation of the PCP.
- There needs to be timely disclosure of project information.
- The PCP, in general, needs to be more specific.
- The ADB should consider developing a separate translation policy.
- There needs to be more disclosure of private sector information: HGAs, PPA, etc.
- There needs to be more clarity around what is meant by business confidentiality.
- There needs to be an appeals process for disclosure requests.
- The ADB should clarify the relationship between the PCAC, PIC and Info Unit.
- There needs to be greater Board transparency.

Conclusion

The ADB will circulate draft notes to all participants and then post the notes on their website.